

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

NOTICE OF INVITATION TO BID FOR LEASING OF STATE-OWNED FREEWAY LEASE AREAS

ORAL BIDS WILL BE ACCEPTED BY THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, DISTRICT 4, **IN THE AUDITORIUM**, AT 111 GRAND AVENUE, **OAKLAND, CALIFORNIA**, ON SEPTEMBER 19, 2001 AT 12:15 P.M. (1:00 P.M. bidding begins) , FOR THE PURPOSE OF LEASING PROPERTY SHOWN ON THE ATTACHED MAPS.

ORAL AUCTION

THOSE WISHING TO PARTICIPATE IN THE AUCTION MUST ARRIVE PRIOR TO BIDDING TO REGISTER. LATECOMERS WILL NOT BE ALLOWED TO BID. ALL PARTICIPANTS MUST BRING CASHIER'S CHECKS IN THE AMOUNT OF THE INDICATED BID DEPOSIT AND A COMPLETED "BIDDER INFORMATION SHEET" (PAGE 6), TO THE AUCTION. CASHIER'S CHECKS WILL BE INSPECTED PRIOR TO BIDDING. BIDDER INFORMATION SHEETS WILL BE COLLECTED PRIOR TO BIDDING. ' THE AIRSPACE PUBLIC PARKING LEASE APPLICATION' WILL BE COLLECTED AFTER THE AUCTION FROM SUCCESSFUL BIDDERS

FOR FURTHER INFORMATION

For additional information concerning the auction, please contact:

SCL, SF-80-: SHIRLEY DILLARD (510) 286-5423
SF-280: STEVE CURUTCHAGUE (510) 286-5415
SM : JIM BOZIO NELOS (510) 286-6236
ALA : BARBARA WILSON (510) 286-5424

SEPTEMBER 19, 2001 AUCTION

PARCEL NUMBER	DATE AVAILABLE	SQUARE FEET	MINIMUM MONTHLY BID	BID DEPOSIT	SPECIAL REQUIREMENTS
Ala-24-12	10/1/01	13,500	\$ 400.00	\$ 400	2-year standard lease
Ala-580-08	11/1/01	45,140	\$ 5,500.00	\$1,000	2-year standard lease
Ala-580-09	11/1/01	79,000	\$ 4,500.00	\$1,000	2-year standard lease
Ala-880-36	10/1/01	71,000	\$ 3,800.00	\$1,000	2-year standard lease
Ala-880-43	12/1/01	13,400	\$ 800.00	\$1,000	2-year standard lease
Ala-880-44	12/1/01	24,000	\$ 3,500.00	\$1,000	2-year standard lease
Ala-880-59	12/1/01	66,040	\$ 300.00	\$1,000	2-year standard lease
Ala-880-61	10/1/01	34,630	\$ 500.00	\$1,000	2-year standard lease
Ala-880-71	12/1/01	3,534	\$ 300.00	\$1,000	2-year standard lease
Ala-980-2&3	11/1/01	57,440	\$ 3,400.00	\$1,000	2-year standard lease
Ala-980-06	11/1/01	31,600	\$ 2,500.00	\$1,000	2-year standard lease
Ala-BT-51	11/1/01	21,462	\$ 1,000.00	\$1,000	2-year standard lease
SCL-87-01	10/1/01	118,000	\$14,874.00	\$1,000	2-year public parking lease
SCL-280-06	10/1/01	56,930	\$ 3,300.00	\$1,000	2-year standard lease

PARCEL NUMBER	DATE AVAILABLE	SQUARE FEET	MINIMUM MONTHLY BID	BID DEPOSIT	SPECIAL REQUIREMENTS
SF-280-19	10/1/01	49,000	\$ 2,500.00	\$1,000	2-year standard lease
SF-280-24	10/1/01	5,120	\$ 500.00	\$ 500	2-year standard lease
SM-35-01	12/1/01	305,000	\$ 1,500.00	\$1,000	2-year standard lease
SM-35-02	12/1/01	304,920	\$ 600.00	\$ 500	2-year standard lease
SM-92-10	10/1/01	42,194	\$ 500.00	\$ 500	2-year standard lease
SM-92-11	10/1/01	130,621	\$ 1,500.00	\$1,000	2-year standard lease
SM-92-12	12/1/01	60,270	\$ 1,100.00	\$1,000	2-year standard lease
SM-101-05	11/1/01	37,000	\$ 4,800.00	\$1,000	2-year standard lease
SM-380-02	11/1/01	49,170	\$ 2,300.00	\$1,000	2-year standard lease
SM-380-03	11/1/01	28,420	\$ 1,500.00	\$1,000	2-year standard lease
SM-380-05	10/1/01	75,934	\$ 3,400.00	\$1,000	2-year standard lease
SM-380-06	11/1/01	28,700	\$ 950.00	\$ 500	2-year standard lease

Special Clauses

ALL PARCELS/BIDS SUBJECT TO THE FOLLOWING:

- 1) The airspace property is being leased in an "as is" condition unless otherwise noted above in the SPECIAL REQUIREMENT(S) section.
- 2) All bidders understand that all local, state and federal taxes as well as all local parking taxes and possessory interest taxes are the sole responsibility of the lessee.
- 3) Successful bidders are to utilize only the designated area as specified on the attached parcel map and further referenced in their lease.
- 4) All bidders must present, prior to the auction, a bid deposit in the form of a cashier's check in the amount indicated for each parcel. Only cashier's checks will be accepted. Cash or personal checks will not be accepted. Failure to present the required bid deposit in the form of a cashier's check at the start of the auction will result in Caltrans refusing to accept your bid.
- 5) Regarding current or former tenants: all must be current in rental or lease payments and in good standing under any lease or rental agreement with Caltrans. Caltrans will refuse to accept any bid from a current or former tenant who is delinquent in rental or lease payments or in breach of any other provision of a Caltrans lease or rental agreement.
- 6) Caltrans reserves the right to refuse any or all bids.
- 7) Failure of the successful bidder to execute the appropriate Caltrans lease for any reason is considered a default by Caltrans and will result in the forfeiture of the entire bid deposit which will be kept by Caltrans as liquidated damages.
- 8) The successful bidder agrees to pay the first month's rent and a security deposit 5 days prior to lease commencement. Failure to pay by the date indicated will result in forfeiture of the bid deposit which will be kept by Caltrans as liquidated damages. The lease security deposit varies by county: for San Francisco County the amount is equal to one month's rent plus \$500, for all other counties it is equal to one month's rent plus \$1,000. San Francisco tenants are now required by law to comply with City Ordinance Article 49 sec. 4901-4914 of the Police Code regarding "revenue control equipment" as well as all applicable ordinances and laws.
- 9) No bid shall be accepted which is less than the minimum monthly bid as shown above on this notice.
- 10) Either party shall have the right to cancel the lease upon (30) thirty days written notice, except that in the event of a national or other emergency, in which case the state shall have the right of immediate possession in order to protect highway structures.
- 11) Re-bidding on "turned-in" lots: a lessee that submits a 30-day notice and gives up a property shall not be permitted to bid on that same property the next time it is put up for auction.
- 12) Planning department approval: bidders must secure local pre-approval for use from the city/county planning department. An application is attached.

ALL PARCELS/BIDS ON ITEMS MARKED 'PUBLIC PARKING LEASE' ARE SUBJECT TO THE FOLLOWING:

- 1) All bidders on parcels marked 'PUBLIC PARKING LEASE' agree to all terms and conditions in the Caltrans revised Public Parking Lease. Please be advised that this lease was recently modified. No further modifications will be made to the revised Public Parking Lease.
- 2) The successful bidder on parcels marked 'PUBLIC PARKING LEASE' must keep the following insurance policies in force during the term of the lease:
All lots:
 - Comprehensive General Liability Insurance (\$5,000,000 Minimum)
 - Business and Auto Liability Insurance (\$1,000,000 Minimum)Additional requirements for attended lots:
 - Garage Keeper's Legal Liability Insurance (\$1,000,000 Minimum)
 - Workers' Compensation Insurance (\$1,000,000 Minimum)
- 3) The successful bidder must provide a completed and signed Airspace Public Parking Lease Application (blank attached) immediately following the auction. Should Caltrans determine that any of the statements, representations or certifications contained on said Airspace Public Parking Lease Application are incorrect, false or misleading, the high bidder will be given ten (10) working days to rectify any deficiencies. If the successful bidder is unable to rectify any deficiencies, the high bidder's bid may be rejected and the entire amount of the high bidder's bid deposit will be retained as liquidated damages.
- 4) Caltrans reserves the right to offer this parcel to another bidder if the previous successful bidder fails to execute the Public Parking Lease or is disqualified for failure to comply with provisions of this bid notice or the Airspace Public Parking Lease Application.

ALL PARCELS/BIDS ON ITEMS MARKED 'STANDARD LEASE' ARE SUBJECT TO THE FOLLOWING:

- 1) Bidders on parcels marked 'STANDARD LEASE' agree to all terms and conditions of Caltrans' standard lease.
- 2) Caltrans reserves the right to offer this parcel to another bidder if the previous successful bidder fails to execute the standard Caltrans lease or is disqualified for failure to comply with provisions of this bid notice.
- 3) The successful bidder on parcels marked 'STANDARD LEASE' must keep a Comprehensive General Liability Insurance (\$5,000,000 Minimum) policy in force during the term of the lease.

DATE: _____
FILE: _____
DIST/CO./RTE./# _____
PARCEL: _____

APPLICATION FOR PLANNING DEPARTMENT USE APPROVAL
OF FREEWAY LEASE-AREAS

This application for use of State-owned property located under elevated freeway structures is to be submitted to the appropriate city or county planning department for approval of proposed use.

A. TO BE COMPLETED BY PROSPECTIVE LESSEEE:

1. Name: _____
2. Business Address: _____
3. Business Telephone Number: _____
4. Location of Property (Attached Map) _____
5. Proposed Use: (Specify exact use and requirements) _____

B. TO BE COMPLETED BY THE CITY OR COUNTY PLANNING DEPARTMENT:

1. Zoning District _____
 - a. Explanation of Zoning: _____
2. Proposed use: (Circle Appropriate response)

a. Permitted	Yes	No
b. Conditionally permitted	Yes	No
c. Not permitted	Yes	No
3. Screening required: _____
4. Explanation or conditions: _____

Signed By: _____
Name: _____
CITY PLANNING DEPARTMENT

DATED : _____

Copies:

1. Original to CALTRANS with Bid.
2. Copy to City Planning Division
3. Copy for applicant.

BIDDER INFORMATION SHEET FOR ORAL AUCTION PARTICIPANTS

BIDDER NAME: _____

ADDRESS _____

TELEPHONE: () _____ CELL PHONE: () _____ PAGER: () _____

ARE YOU BIDDING ON BEHALF OF A BUSINESS? YES () NO ()

IF YES, NAME OF BUSINESS: _____

I HEREBY CERTIFY THE ABOVE INFORMATION IS CORRECT:

Signed By:

DATE: _____

The above information must be provided in full and submitted prior to the beginning of the oral auction. Bids will not be accepted without this form.

BIDDER NUMBER: _____ (to be completed by Caltrans when presented by bidder on the day of the auction)

AIRSPACE PUBLIC PARKING LEASE APPLICATION**PERSONAL INFORMATION NOTICE**

Pursuant to the Federal Privacy Act (P.L. 93-579) and the Information Practices Act of 1977 (Civil Code Section 1798, et seq.), notice is hereby given for the request of personal information by this form. The requested personal information is voluntary. The principal purpose of the voluntary information is to facilitate the processing of this form. The failure to provide all or any part of the requested information may delay processing of this form. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.24 of the IPA of 1977. Each individual has the right, upon request and proper identification, to inspect all personal information in any record maintained on the individual by an identifying particular. Direct any inquiries on information maintenance to your IPA Office.

COMPLETE ALL ITEMS - PLEASE PRINT OR TYPE
PLEASE READ PERSONAL INFORMATION NOTICE AND DISCLOSURE STATEMENTS
AT THE END OF THIS FORM

(Co-Applicants complete separate forms.)

(The high bidder must complete prior to and submit this form **immediately after** the auction)

The following statements as to experience, financial and taxpayer qualifications of the bidder are submitted with the signed bid notice and bid deposit to confirm the status of the bidder with respect to qualifications and payment of state and local taxes and fees, as a part thereof; and any material misstatement of the information submitted herein shall be grounds for rejection of the bid.

1. NAME:

Business

Name _____

Address _____ City _____ State _____ Zip _____

Mailing

Address _____ City _____ State _____ Zip _____

Tel. Number _____ Fax Number _____ Pager Number _____

Tax Identification Number _____ Years in _____

Business _____

Corporation _____ Partnership _____ Joint Venture _____ Individual _____ Other _____

2. OWNERS/INDIVIDUALS/CORPORATE OFFICERS:

Name _____ Title or Position _____

Residence

Address _____ City _____ State _____ Zip _____

Tel. Number _____ Social Security Number (if applicable) _____

Name _____ Title or Position _____

Residence

Address _____ City _____ State _____ Zip _____

Tel. Number _____ Social Security Number (if applicable) _____

Name _____ Title or Position _____

Residence

Address _____ City _____ State _____ Zip _____

Tel. Number _____ Social Security Number (if applicable) _____

3. BANK/CREDIT REFERENCES:

Bank or

Creditor _____

Address _____ City _____ State _____ Zip _____

Account Number _____ Type of Account _____ Balance _____

Contact Person _____ Contact Phone Number _____

3. BANK/CREDIT REFERENCES (Continued):

Bank or
Creditor _____
Address _____ City _____ State _____ Zip _____
Account Number _____ Type of Account _____ Balance _____
Contact Person _____ Contact Phone Number _____

Bank or
Creditor _____
Address _____ City _____ State _____ Zip _____
Account Number _____ Type of Account _____ Balance _____
Contact Person _____ Contact Phone Number _____

Bank or
Creditor _____
Address _____ City _____ State _____ Zip _____
Account Number _____ Type of Account _____ Balance _____
Contact Person _____ Contact Phone Number _____

4. REQUEST FOR INFORMATION:

The successful bidder must provide the following information no later than **September 25, 2000**. This information will be used to help fully evaluate whether the successful bidder will be allowed to execute the public parking lease and occupy the property. The information will also be used to update and/or activate a new lease account with Caltrans.

- Notarized copy of Articles of Incorporation
- Certified Copy of Partnership (if applicable-must include all partners and their responsibilities/liability)
- List of directors, officers and the agent in service (name of person who may legally sign for the company)
- Federal Tax ID number
- Certified copies of both Federal and State Income Tax returns for the past two years
- Certificates of Insurance (See Bid Notice for types and amounts)
- Certification of Funds from your bank(s)

5. CERTIFICATION

By signing this application in the space provided below, the applicant is certifying that the aforementioned statements are true. Furthermore, the applicant acknowledges that the following statements are true:

- The applicant is not in arrears on any taxes or fees owed to any City/County taxing authority due as a result from any parking business or operation .
- The applicant does not have any unsatisfied judgments from the Division of Labor Standards Enforcement of the Department of Industrial Relations.
- The applicant does not have more than three (3) verified labor claims filed against the applicant in the past twelve (12) months by the Division of Labor Standards of the Department of Industrial Relations.
- The applicant is in "good standing" with the California Franchise Tax Board.

I, (Name of Applicant) _____ Signature _____
Date _____

I, (Name of Applicant) _____ Signature _____
Date _____

I, (Name of Applicant) _____ Signature _____
Date _____

Hereby certify that all statements I/We have made on this application are correct and true. I further acknowledge and understand that if any of the statements, facts or certification to which I/We attest to are found to be incorrect, false or misleading my bid may be rejected and the entire amount of my bid deposit will be retained as liquidated damages. Furthermore, by signing this application I/We authorize Caltrans to ask for and receive confidential information about the applicant as it pertains to those items listed on this application. Any information disclosed will be kept confidential.

Sections 7(a)(1) and (b) of the Federal Privacy Act of 1974 (Public Law 93.5.79) provide:

"It shall be unlawful for any Federal, State or Local Government Agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his/her social security number.

"Any Federal, State or Local Government Agency which requests an individual to disclose his/her social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority such number is solicit, and what uses will be made of it."

The Department of Transportation's authority for requesting disclosure is Streets and Highways Code Section 104.12, which reads in part:

"The Department may lease to public or private entities for any term not to exceed 99 years the use of areas above or below state highways, subject to any reservations, restrictions, and conditions that it deems necessary to ensure adequate protection to the safety and the adequacy of highway facilities and to abutting or adjacent land uses."

The Social Security Number will be used to (1) trace delinquent tenants who have vacated without leaving a forwarding address; and (2) enable the State Controller to collect delinquent rent by the offset procedures required by State Administrative Manual Sections 8072.3, 8790.7 and 10510, as authorized by Government Code Section 12419.5, and (3) allow for the State to conduct various screening activities to determine applicant qualifications.

COMPLETE ALL ITEMS—PLEASE PRINT.
(Co-Applicants complete separate forms.)

PERSONAL INFORMATION NOTICE

Pursuant to the Federal Privacy Act (P.L. 93-579) and the Information Practices Act of 1977 (Civil Code Section 1798, et seq.), notice is hereby given for the request of personal information by this form. The requested personal information is voluntary. The principal purpose of the voluntary information is to facilitate the processing of this form. The failure to provide all or any part of the requested information may delay processing of this form. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.17 of the IPA of 1977. Each individual has the right, upon request and proper identification, to inspect all personal information in any record maintained on the individual by an identifying particular. Direct any inquiries on information maintenance to your IPA Forms Officer.

BUSINESS					
BUSINESS NAME	<input type="checkbox"/> Sole Proprietorship	YEARS IN BUSINESS	FEDERAL ID NUMBER	MORTGAGE PAYMENT (per month)	RENT PAYMENT (per month)
	<input type="checkbox"/> Partnership		APPLICATION DATE		
	<input type="checkbox"/> Corporation				
CURRENT BUSINESS ADDRESS (Street, City, State, ZIP Code)				YEARS	MONTHS
CURRENT LANDLORD NAME	BUSINESS TELEPHONE	FORMER LANDLORD NAME		BUSINESS TELEPHONE	
FORMER BUSINESS ADDRESS (Street, City, State, ZIP Code)				YEARS	MONTHS

APPLICANT						
NAME (First)	(Middle Initial)	(Last)	<input type="checkbox"/> Unmarried <input type="checkbox"/> Married <input type="checkbox"/> Separated	DEPENDENTS		
DATE OF BIRTH	SOCIAL SECURITY NUMBER			HOME PHONE	<input type="checkbox"/> Self	<input type="checkbox"/> Children
					<input type="checkbox"/> Spouse	<input type="checkbox"/> Others
DRIVER'S LICENSE NUMBER	VEHICLE (Year, Make, Model)		NAME/HOME ADDRESS OF NEAREST RELATIVE NOT LIVING WITH YOU			

OCCUPATION	CURRENT EMPLOYER	BUSINESS TELEPHONE	
	BUSINESS ADDRESS (Street, City, State, ZIP Code)		
	CURRENT POSITION	MONTHLY GROSS PAY	YEARS MONTHS
	FORMER EMPLOYER	FORMER POSITION	YEARS MONTHS

OTHER INCOME	You need not list income from alimony, child support, or separate maintenance unless you wish it considered for purposes of approving this application.		DEPOSIT ACCOUNTS	Include checking, savings, credit unions, and savings and loan associations.		
	Types of Other Income	Monthly Amount		Company Name/Location	Account Number	Average Balance
				Checking: _____	\$ _____	
				Savings: _____	\$ _____	
				Other: _____	\$ _____	
				Checking: _____	\$ _____	
				Savings: _____	\$ _____	
				Other: _____	\$ _____	

Please check box A if account is joint credit (Applicant and Co-Applicant). Check box B if the credit is in Applicant's name only, or box C if the credit is in your Co-Applicant's name only. Be sure to list all open accounts with or without a balance. Attach separate sheet if necessary.

CREDIT REFERENCES	A	B	C	Loan Type	Creditor's Name	City	Account Number	Monthly Payments	Balance

NON-RESIDENTIAL RENTAL APPLICATION

RW 07-2 (Rev. 9/92)

(BACK)

Business Assets

Please attach financial statements for the past two (2) years. (If self-employed or retired, attach financial statements and/or income tax returns.)

I certify that I have never filed for bankruptcy and have no accounts past due.

APPLICANT'S SIGNATURE			DATE	
In Case of Emergency, Notify:	Home Address	Home Phone	City	Relationship
1.				
2.				
Local Personal References	Home Address	Home Phone	Occupation	Length of Acquaintance
1.				
2.				

Sections 7(a)(1) and (b) of the Federal Privacy Act of 1974 (Public Law 93.5.79) provide:

"It shall be unlawful for any Federal, State or Local Government Agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his/her social security account number.

"Any Federal, State or Local Government Agency which requests an individual to disclose his/her social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it."

The Department of Transportation's authority for requesting disclosure is Streets and Highways Code Section 104.6, which reads:

"The Department is authorized to lease any lands which are held for State Highway purposes and are not presently needed therefore on such terms and conditions as the Director may fix and to maintain and care for such property in order to secure rent therefrom."

The Social Security Number will be used to (1) trace delinquent tenants who have vacated without leaving a forwarding address; and (2) enable the State Controller to collect delinquent rent by the offset procedure required by State Administrative Manual Sections 8072.3, 8790.7 and 10510, as authorized by Government Code Section 12419.5.

Applicant represents that statements made above are true and correct and hereby authorizes verification of references including but not limited to the obtaining of a credit report and agrees to furnish additional credit references on request. Applicant acknowledges receipt of notification of the provisions of the Federal Privacy Act of 1974 and consent thereof.

I CERTIFY THAT I HAVE READ THE NOTICE TO APPLICANTS DESIRING TO RENT DEPARTMENT OF TRANSPORTATION PROPERTIES AND AGREE TO THE CONDITIONS SET FORTH.

The undersigned makes application to rent nonresidential property designated at address below for the rental fee and upon approval of this application agrees to sign a rental or lease agreement and to pay all sums due before occupancy.

RENTAL PROPERTY ADDRESS	RENTAL FEE
APPLICANT'S SIGNATURE	DATE